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24978 7590 07/27/2011
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CHICAGO, IL 60606

EXAMINER

BLAIR, DOUGLAS B

ART UNIT

PAPER NUMBER

2442

DATE MAILED: 07/27/2011

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/569,569	02/27/2006	Johathan Cox	0321.68322	7601

TITLE OF INVENTION: INTERNET TELEPHONY THROUGH HOSTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$755	\$300	\$0	\$1055	10/27/2011

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

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Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the **ISSUE FEE** and **PUBLICATION FEE** (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/569,569 02/27/2006

Jothan Cox

0321.68322

7601

TITLE OF INVENTION: INTERNET TELEPHONY THROUGH HOSTS

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nonprovisional	YES	\$755	\$300	\$0	\$1055	10/27/2011

EXAMINER	ART UNIT	CLASS-SUBCLASS
BLAIR, DOUGLAS B	2442	709-249000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB-112) attached;
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB-112; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.111. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reuply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. **Change in Entity Status** (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____

Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**

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Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 384 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 384 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

Notice of Allowability**Application No.**

10/569,569

Examiner

DOUGLAS BLAIR

Applicant(s)

COX ET AL

Art Unit

2442

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/2/2011.
2. ☒ The allowed claim(s) is/are 1-4 and 6-20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 5/2/2011
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

/Douglas B Blair/
Primary Examiner, Art Unit 2442

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steven Fallon (Reg. No. 35,132) on 7/13/2011.

The application has been amended as follows:

In the Claims:

Please amend the claims as follows:

1. (Currently Amended) A method for providing telephony services through the Internet, the method comprising:

by a server available through the Internet, communicating with a plurality of hosts, said plurality of hosts comprising personal computers, each host being connected to a local phone service via a local phone line and to the server via the Internet, the server communicating with clients through the Internet to provide clients access to local phone services and communications through the local phone lines of the plurality of hosts, wherein the server routes a phone call from a client through the Internet to an available host that is in the local area of the destination of the phone call by searching a directory of available hosts and providing a client an available host for the phone call so that the client and available host can communicate directly without sending data through the server, and the phone call proceeds through the local phone service of the available host that is in the local area via the local phone line of the available host that is in the local area via data exchange between the available host and the client without sending data through the server.

2. (Currently Amended) A server computer accessible through the Internet, the server computer being configured to provide access control to a remote client that accesses phone services and a plurality of phone lines through a plurality of host computers to provide the remote client via the Internet with local phone services and communications through the plurality of phone lines available through the plurality of host computers, said plurality of host computers comprising personal computers, wherein the server computer routes a phone call from the remote client through the Internet to an available host that is in the local area of the destination of the phone call by searching a

directory of available host computers and providing the remote client an available host computer for the phone call so that the remote client and available host computer can communicate directly without sending data through the server, and the phone call proceeds through the local phone service of the available host computer that is in the local area via the local phone line of the available host computer that is in the local area via data exchange between the available host computer and the remote client without sending data through the server.

3. (Previously Presented) The server of claim 2, wherein the server computer is configured to provide one or more of the following services: authentication, tunneling, initiation of peer-to-peer communication, routing, directory, directory search, and access rights.

4. (Previously Presented) A host computer having access to a local phone line that connects to a local phone service and an Internet connection, the host computer comprising a personal computer being configured to provide Internet server-enabled access to the local phone line and service via a server that controls access to the host computer and to a plurality of other hosts computers by identifying available local host computers in response to client requests for communication through the local phone line via an internet connection and by permitting a client to exchange data with the host computer without sending data through the server to utilize the local phone service through the local phone line, wherein the host computer exchanges data with the client without sending data through the server to route a server-enabled client phone call having a destination in the host's local phone service from the Internet through the local phone service of the host computer via the local phone line.

5. (Canceled)

6. (Previously Presented) The host of claim 4, wherein a server controls client access to the host.

7. (Previously Presented) The host of claim 6, wherein the server is configured to provide one or more of the following services: directory search, voicemail and missed calls, call answering, and call initiation.

8. (Previously Presented) A client device enabled to access a plurality of local phone services of a plurality of host computers, said plurality of host computers comprising personal computers connected to the plurality of local phone services via a plurality of local phone lines, the client accessing the plurality of local phone services and phone lines of the plurality of host computers through an Internet connection controlled by a server computer, the client device having functions for requesting access to the local phone service, and for performing communications through an established connection with the local phone services via the local phone lines, wherein the client device requests Internet access from the service to an available host computer that is in the local service of the destination of a phone call and, when the server grants access by identifying an available host computer to the client, and the client exchanges data with the available host computer without sending data through the server to direct the phone call through the Internet to the available host computer that is in the local service so that the call proceeds through the local phone service of the available host computer that is in the local area via the local phone line of the available host computer that is in the local area.

9. (Previously Presented) The client of claim 8, wherein the client device is configured to provide one or more of the following services: phone line interface,

authentication, verification, call forwarding, call answering, voice mail and missed calls, and local-call routing.

10. (Previously Presented) A system for providing phone services to Internet users through the Internet, the system comprising:

a plurality of host computers, said plurality of host computers comprising personal computers, each host computer having access to a local phone service through a local phone line; and

at least one server that controls access between said plurality of host computers and phone service clients seeking to access local phone services through the local phone lines of the plurality of host computers through the Internet, wherein the server routes an Internet user phone call through the Internet to a host computer that is in the local area of the destination of the phone call by searching a directory of available host computers and providing the remote client an available host computer for the phone call so that the remote client and available host computer can communicate directly without sending data through the server so that the phone call proceeds through the local phone service of the available host computer that is in the local area via the local phone line of the available host computer that is in the local area via data exchange between the available host computer and the client without sending data through the server.

11. (Previously Presented) A business method, the method comprising charging clients for access through a computer server to a system comprising: a plurality of host computers and enabling client computers to access via the Internet the system comprising a plurality of host computers through the computer server, said plurality of host computers comprising personal computers, each of the plurality of host computers having access to a local phone service through a local phone line; the computer server controlling client computer access to the plurality of local phone services through the

local phone lines; and permitting the access by a client computer upon verification of access rights of the client computer and by searching a directory of available host computers and providing the remote client an available host computer for an Internet user phone call so that the remote client and available host computer can communicate directly without sending data through the server, wherein the server routes the Internet user phone call through the Internet to a host computer that is in the local area of the destination of the phone call so that the phone call proceeds through the local phone service of the host computer that is in the local area via the local phone line of the host computer that is in the local area via data exchange between the available host computer and the client without sending data through the server.

12. (Previously Presented) A business method, the method comprising providing virtual local phone service for a fee by providing a simulation of local phone service and voice communications to remote client devices that access a computer server through the Internet, the computer server providing the simulation of local phone service by controlling access to a plurality of host computers by maintaining a directory of available host computers and responding to client device requests by identifying an available host computer in a local area, said plurality of host computers comprising personal computers connected to local phone services by a plurality of local phone lines such that a client call from a remote client device is routed through the Internet and an available host computer to a destination served by a local phone service of the available host computer via the host computer's local phone line via data exchange between the available host computer and the client device without sending data through the server.

13. (Previously Presented) The method of claim 1, wherein said local phone lines of said plurality of hosts comprises home and/or office telephone connections.

14. (Previously Presented) The server of claim 2, wherein said plurality of local phone lines comprise home and/or office telephone connections.

15. (Previously Presented) The host computer of claim 4, wherein said local phone line comprises a home or office telephone connection.

16. (Previously Presented) The client device of claim 8, wherein said plurality of local phone lines comprise home and/or office telephone connections.

17. (Previously Presented) The system of claim 10, wherein said local phone lines of said plurality of hosts comprises home and/or office telephone connections.

18. (Previously Presented) The method of claim 11, wherein said local phone lines of said plurality of hosts comprises home and/or office telephone connections.

19. (Previously Presented) The method of claim 12, wherein said plurality of local phone lines comprise home and/or office telephone connections.

20. (Previously Presented) The method of claim 13, wherein said home and/or office telephone connections comprise telephone company customer connections.

Reasons for Allowance

The following is an examiner's statement of reasons for allowance: the prior art does not teach or suggest the amended features.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DOUGLAS BLAIR whose telephone number is (571)272-3893. The examiner can normally be reached on 9:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Douglas B Blair/
Primary Examiner, Art Unit 2442